

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present Amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-10 are currently pending. Claims 1, 4, and 10, which are independent, are hereby amended. Claims 11-13 are canceled herein without prejudice or disclaimer of subject matter. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

The claims have been amended, obviating the rejection of claims 4-8 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that which the applicant regards as the invention.

III. REJECTIONS OF THE CLAIMS UNDER 35 U.S.C. §102 and §103

Claims 1-9 and 13 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Publication No. 2001/0011941 to King, et al. in view of U.S. Patent No. 6,333,698 to Roddy, et al.

Claims 10-12 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Publication No. 2001/0011941 to King, et al.

Claim 1 recites, *inter alia*:

“...modification of the identifier by the command
repeater (3) to include a code dependent on a
repeater identifying code.” (emphasis added)

As under-stood by Applicant U.S. Publication No. 2001/0011941 to King, et al. (hereinafter merely “King”) relates to a vehicle wireless transmitter system wherein the repeater “retransmits the exact same digital code...” The second signal in King is of greater strength and appropriate direction.

As understood by Applicant, U.S. Patent No. 6,333,698 to Roddy, et al. (hereinafter, merely “Roddy”) discloses that the repeater retransmits the digital code at a different frequency. The frequency is changed by the repeater.

Applicant submits that nothing has been found in King or Roddy, taken alone or in combination, that would teach or suggest the above-identified features of claim 1. Specifically, Applicants submit that King and Roddy fail to teach or suggest modification of the identifier by the command repeater (3) to include a code dependent on a repeater identifying code, as recited in claim 1.

Therefore claim 1 is patentable.

For reasons similar to those described above, Applicant submits that claims 4 and 10 are also patentable.

IV. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention,

however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
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